

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 9/4/2017 8:17:26 PM
To: Dorr, Kaelan K. EOP/WHO [EOP / Ex. 6]; Rateike, Bradley A. EOP/WHO [EOP / Ex. 6]; Ditto, Jessica E. EOP/WHO [EOP / Ex. 6]; Love, Kelly A. EOP/WHO [EOP / Ex. 6]; Henning, Alexa A. EOP/WHO [EOP / Ex. 6]; Hurley, Carolina L. EOP/WHO [EOP / Ex. 6]; Magyarits, Caroline S. EOP/WHO [EOP / Ex. 6]
CC: Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Konkus, John [konkus.john@epa.gov]
Subject: EPA Response To The AP's Misleading Story

Below, please find additional talking points on the AP article response and some stories ICYMI. Want to make sure you guys have all this information, and can provide it to anyone that may be discussing this on air tonight. Please let me know if you have questions. Thank you – Liz

Articles of Note:

Governor Abbott on CNN, “Abbott: EPA 'very aggressive' on Superfund sites”: <http://edition.cnn.com/videos/politics/2017/09/03/sotu-abbot-epa.cnn>
ABC News, “AP defends itself after EPA attacks 'misleading' report on Superfund sites”: <http://abcnews.go.com/US/ap-defends-epa-attacks-misleading-report-superfund-sites/story?id=49610809>
Hot Air.com, “Media manages to flub story on EPA supersites in Harvey flooding”: <https://hotair.com/archives/2017/09/03/media-manages-flub-story-epa-supersites-harvey-flooding/>

Talking Points:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

Good afternoon -

Yesterday, the Associated Press' Michael Biesecker wrote an **incredibly misleading story** about toxic land sites that are under water.

Despite reporting from the comfort of Washington, Biesecker had the audacity to imply that agencies aren't being responsive to the devastating effects of Hurricane Harvey. Not only is this inaccurate, but it creates panic and politicizes the hard work of first responders who are actually in the affected area.

Here's the truth: through aerial imaging, EPA has already conducted initial assessments at **41** Superfund sites - **28** of those sites show no damage, and **13** have experienced flooding. This was left out of the original story, along with the fact that EPA and state agencies worked with responsible parties to secure Superfund sites before the hurricane hit. Leaving out this critical information is misleading.

Administrator Pruitt already visited Southeast Texas and is in constant contact with local, state and county officials. And EPA, has a team of experts imbedded with other local, state and federal authorities, on the ground responding to Harvey - none of which Biesecker included in his story.

Unfortunately, the **Associated Press' Michael Biesecker** has a history of not letting the facts get in the way of his story. Earlier this summer, he made-up a meeting that Administrator Pruitt had, and then deliberately discarded information that refuted his inaccurate story - ultimately prompting a nation-wide correction. Additionally, the Oklahoman took him to task for sensationalized reporting.

- * Correction: EPA-Dow Chemical story

- ♦ [Associated Press Engulfed in CNN-Level Scandal as It Covers Up Invention of Imaginary Pruitt Meeting](#)

If you're reporting on this misleading story then below is a statement from the EPA.

"Once again, in an attempt to mislead Americans, the Associated Press is cherry-picking facts, as EPA is monitoring Superfund sites around Houston and we have a team of experts on the ground working with our state and local counterparts responding to Hurricane Harvey. Anything to the contrary is yellow journalism."

- EPA Associate Administrator, Liz Bowman

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BACKGROUND ...

The Hill reports EPA finds 13 Superfund sites possibly damaged after Harvey. "The Environmental Protection Agency (EPA) said Saturday that 13 Superfund sites have been flooded or could be facing damage as a result of Hurricane Harvey. The agency said that two of the sites, which are areas that are polluted with hazardous material and require extensive cleanup, had been inspected and do not require immediate cleanup. Eleven sites have proven to be inaccessible for response teams, however the agency said teams are in place to inspect the areas once flooding from the storm subsides. In total, the EPA said that it had conducted initial assessments at 41 Superfund sites in impacted areas using 'aerial images' and contact with those responsible for regular cleanup activities." ([The Hill](#), 09/02/17)

In June, the editorial board at the [Oklahoman](#) reminded their readers of the sensationalized reporting that comes from the Associated Press' Michael Biesecker. "The disdain that some in the media have for President Trump and members of his administration is evident regularly. Recent coverage related to EPA administrator Scott Pruitt provides an example of interest to locals because of Pruitt's Oklahoma ties. ... An Associated Press story from Washington last week about emails Pruitt sent and received as attorney general did what it could to further establish Pruitt as a minion for the oil and gas industry – which environmentalists see as dead set on ruining the earth as we know it. The AP, a wire service used by media outlets around the world including The Oklahoman, said the emails 'underscore just how closely' Pruitt 'coordinated with fossil fuel companies' as Oklahoma's AG, 'a position in which he frequently sued to block federal efforts to curb planet-warming carbon emissions.' That's quite an opening paragraph. Pruitt didn't just work with energy companies while attorney general – he worked 'closely' with 'fossil fuel companies' (the ultimate bogey men) to essentially keep global warming from abating. ... The fact Pruitt regularly corresponded and dealt with energy industry officials as attorney general of a state where energy is the No. 1 industry should not be surprising nor should it, by itself, be considered nefarious."

.....

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Newsroom



U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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Message

From: Gray, David [gray.david@epa.gov]
Sent: 9/2/2017 10:37:40 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]
Subject: Re: FINAL VERSION OF SUPERFUND RESPONSE

Link

<https://www.epa.gov/newsreleases/status-superfund-sites-areas-affected-harvey>

Sent from my iPhone

On Sep 2, 2017, at 6:36 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

It is posted

Sent from my iPhone

On Sep 2, 2017, at 6:29 PM, Gray, David <gray.david@epa.gov> wrote:

I cannot post to the national page without publishing rights.

Sent from my iPhone

On Sep 2, 2017, at 6:17 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Do we have a link to the website?

Sent from my iPhone

On Sep 2, 2017, at 4:55 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

Ok .. once we get it will get it posted ..

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Ex. 6	(mobile)
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From: Graham, Amy
Sent: Saturday, September 02, 2017 4:55 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Gray, David <gray.david@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: Re: FINAL VERSION OF SUPERFUND RESPONSE

Yes, I think so

Sent from my iPhone

On Sep 2, 2017, at 4:44 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

Do we want it posted on the web

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Ex. 6 (mobile)

From: Gray, David
Sent: Saturday, September 02, 2017 4:44 PM
To: Bowman, Liz <[Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: RE: FINAL VERSION OF SUPERFUND RESPONSE

It should be out shortly. My team is on standby

From: Bowman, Liz
Sent: Saturday, September 02, 2017 3:40 PM
To: Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: FINAL VERSION OF SUPERFUND RESPONSE

Final below – David, please send this out to your lists – Jahan, if you have access to the system, can you also send it out? No harm in some people getting it twice. I can send it to the list of folks that Nancy sent me following the storm, and will be sure the White House and TCEQ have it. Thanks for your help – Liz

STATUS OF SUPERFUND SITES IN AREAS AFFECTED BY HARVEY

WASHINGTON (September 2, 2017) – *Despite misleading and inaccurate reporting, the facts are that EPA and TCEQ are working together, along with other local, state, and federal authorities and emergency responders around the clock to address the human health and environmental impacts of Hurricane Harvey and its effects, especially historic and devastating flooding throughout Southeast Texas. With regard to the status of Superfund sites:*

EPA has conducted initial assessments at 41 Superfund sites in the impacted areas using aerial images, as well as direct contact with the parties responsible for on-going cleanup activities. EPA has determined that 28 Superfund sites in the area do not currently show damage or excessive flooding associated with Harvey. EPA determined that 13 sites have been flooded and/or are experiencing possible damage due to the storm. Of these sites, two (Falcon Refinery and the Brine Service) have been inspected and it has been determined that

they do not require emergency cleanup; although, additional sampling in the area will continue to be conducted.

Eleven sites, including: Bailey Waste Disposal, French LTD, Geneva Industries/Fuhrmann Energy, Gulfco Marine, Highland Acid Pit, Malone Services, U.S. Oil Recovery, Patrick Bayou, Petro-Chemical Systems, Triangle Chemical, and San Jacinto Waste Pits have not been accessible by response personnel. Teams are in place to investigate possible damage to these sites as soon flood waters recede, and personnel are able to safely access the sites.

The San Jacinto Waste Pits site has a temporary armored cap designed to prevent migration of hazardous material; the cap will be inspected as soon as it is safe for teams access the site. Based on forecasted river conditions, this inspection is planned for Monday, by boat. EPA has dive teams to survey the cap underwater when conditions allow.

EPA, TCEQ and other authorities will continue to provide additional updates as we gather them. We encourage the community to continue to follow the expert safety advice of local officials.

For additional information from TCEQ, please visit: <https://www.tceq.texas.gov/response/hurricanes>

From: Graham, Amy

Sent: Saturday, September 2, 2017 4:21 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Gray, David <gray.david@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Hewitt, James <hewitt.james@epa.gov>

Subject: Re: CURRENT VERSION OF SUPERFUND RESPONSE

Good with me. I don't know that the AP story is technically inaccurate based on the information we had when we responded yesterday but it is certainly misleading.

Sent from my iPhone

On Sep 2, 2017, at 4:18 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Okay, this is the current version – work from this...also, please reply ALL so that everyone is on the same page. Moving forward, we need to finalize completely internally before we send to Ryan b/c he doesn't need all the back and forth, and his assumption is that once it makes it to him, it's final. So, let's work from this version, make any necessary edits, and then I will send the final to Ryan, Ken, Sam and TCEQ.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Gray, David
Sent: Saturday, September 2, 2017 4:13 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Superfund

HOLD

From: Grantham, Nancy
Sent: Saturday, September 02, 2017 3:13 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Gray, David <gray.david@epa.gov>
Subject: RE: Superfund

Liz .. david's folks can send it out and post it ... I have julia's schedule and she may be out of pocket.

David's folks sent last night's statement.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Ex. 6 (mobile)

From: Bowman, Liz
Sent: Saturday, September 02, 2017 4:10 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>; Gray, David <gray.david@epa.gov>
Cc: Coleman, Sam <Coleman.Sam@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: Superfund

UPDATED and proofread...I am posting this on Twitter, and asking Julia to send it out via press release.

The AP story is not only inaccurate, its flat wrong. The facts are that EPA and TCEQ are working together, along with other local, state, and federal responders around the clock to address the human health and environmental effects of Hurricane Harvey. With regard to Superfund sites:

EPA has conducted initial assessments at 33 Superfund sites in the impacted areas using aerial images, as well as direct contact with parties responsible for on-going cleanup activities. EPA has determined that 28 Superfund sites in the area do not show damage or excessive flooding associated with the storm. EPA determined that five sites have been flooded and/or are experiencing possible damage from the storm. Of these sites, two (Falcon Refinery Site and the Brine Service site) have been inspected by authorities and determined not to require emergency cleanup, although additional sampling in the area will be conducted. Three sites, including: U.S. Oil Recovery, Patrick Bayou and San Jacinto Waste Pits Superfund Site have not been accessible by response personnel. However – teams are in place to investigate possible damage to these sites as soon flood waters recede further, and personnel are able to safely access the sites. San Jacinto Waste Pits Superfund Site has a temporary armored cap designed to prevent migration of hazardous material and the cap will be inspected as soon as it is safe for teams to do so. Based on forecasted river conditions, this inspection by boat is planned for Monday. EPA has dive teams to survey the cap underwater when conditions allow.

From: Jackson, Ryan

Sent: Saturday, September 2, 2017 3:57 PM

To: Gray, David <gray.david@epa.gov>

Cc: Bowman, Liz <[Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)>; Coleman, Sam <[Coleman.Sam@epa.gov](mailto: Coleman.Sam@epa.gov)>; Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>

Subject: Re: Superfund

NICE!!

conveyed to the WH. Let's blast this out.

Ryan Jackson
Chief of Staff
U.S. EPA
(202) 564-6999

On Sep 2, 2017, at 3:51 PM, Gray, David <gray.david@epa.gov> wrote:

Start with this

EPA has conducted initial assessments at thirty-three Superfund sites in the impacted areas using aerial images as well as direct contact with

companies who are responsible for on-going cleanup activities. EPA has determined that twenty-eight Superfund sites in the area do not show damage or excessing flooding associated with the storm. EPA determined that seven sites have been flooded and/or possible damaged by the storm. Of these sites, two have been inspected and determined not to require emergency cleanup although additional sampling in the area will be conducted. Five sites including San Jacinto Waste Pits Superfund Site have not been accessible by response personnel. However – teams are in place to investigate possible damage to these sites when flood waters recede further. San Jacinto Waste Pits Superfund Site has a temporary armored cap designed to prevent migration of hazardous material and the cap will be inspected as soon as it is safe for teams to do so. Based on forecasted river conditions, this inspection by boat is planned for Monday. EPA has dive teams to survey the cap underwater when conditions allow.

From: Jackson, Ryan

Sent: Saturday, September 02, 2017 2:38 PM

To: Gray, David <gray.david@epa.gov>

Cc: Bowman, Liz <[Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)>; Coleman, Sam <[Coleman.Sam@epa.gov](mailto: Coleman.Sam@epa.gov)>; Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>

Subject: Re: Superfund

I need this translated. It is not clear on this what information is being conveyed.

Ryan Jackson
Chief of Staff
U.S. EPA
(202) 564-6999

On Sep 2, 2017, at 3:32 PM, Gray, David <gray.david@epa.gov> wrote:

Here is the status of work at each Superfund site within the impacted area. We are working on a summary statement.

From: Jackson, Ryan

Sent: Saturday, September 02, 2017 2:21 PM

To: Gray, David <gray.david@epa.gov>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Coleman, Sam <Coleman.Sam@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>

Subject: Re: Superfund

However superfund is the priority. The WH is asking for it now. I'm sure they are responding to questions.

Ryan Jackson
Chief of Staff
U.S. EPA
(202) 564-6999

On Sep 2, 2017, at 3:09 PM, Gray, David <gray.david@epa.gov> wrote:

Got it

Sent from my iPhone

On Sep 2, 2017, at 3:02 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Deliberative Process / Ex. 5

I am working on a draft statement now using the most recent EOC report; **but, please send us additional details on specific Superfund sites and water testing details as soon as possible – with the next few hours, so we can work that into our statement.**

I am going to connect with TCEQ so they know that we are working on this statement also.

Thank you for your help and assistance, especially on a Holiday weekend -- Liz

From: Graham, Amy
Sent: Saturday, September 2, 2017 2:51 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Fwd: Superfund

Sent from my iPhone

Begin forwarded message:

From: "Graham, Amy" <graham.amy@epa.gov>
Date: September 1, 2017 at 1:53:27 PM EDT
To: "Biesecker, Michael" <MBiesecker@ap.org>, "StClair, Christie" <StClair.Christie@epa.gov>
Cc: Press <Press@epa.gov>, "Gray, David" <gray.david@epa.gov>
Subject: RE: Superfund

That's correct. We will begin to assess other sites after flood waters recede in those areas.

From: Biesecker, Michael [<mailto:MBiesecker@ap.org>]
Sent: Friday, September 1, 2017 1:09 PM
To: Graham, Amy <graham.amy@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>
Cc: Press <Press@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: RE: Superfund

When does EPA expect it will be able to visit and assess flooded sites in Houston and Port Arthur? After the floodwaters waters recede?

From: Graham, Amy [<mailto:graham.amy@epa.gov>]
Sent: Friday, September 01, 2017 1:04 PM
To: Biesecker, Michael; StClair, Christie
Cc: Press; Gray, David
Subject: RE: Superfund

Michael - Unified Command personnel inspected two Superfund sites in the Corpus Christi area yesterday. Both the Falcon Refinery Site and the Brine Service Site show no significant damage. No emergency clean up response for storm damage is needed at the two sites.

From: Biesecker, Michael [<mailto:MBiesecker@ap.org>]
Sent: Friday, September 1, 2017 12:14 PM
To: StClair, Christie <StClair.Christie@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Superfund

Christie, Amy,

Following up from earlier in the week, AP is still seeking details on what EPA is doing regarding flooded Superfund sites. EPA's press release on Wednesday said EPA is "assesses conditions at the NPL Superfund sites in the storm's impact area" and was "began rapid assessments at two sites that are accessible after floodwaters have receded and this work will continue."

Which sites were those? What did EPA find? Did EPA take samples to determine whether contaminants leached out into floodwaters? Were more sites visited and assessed on Thursday? How many people has EPA assigned to this work?

I will add that AP has visited three Houston-area superfund sites yesterday. All were still heavily flooded and we saw no state or federal personnel there (or anyone else). We are visiting and documenting more sites today.

Michael

<image001.jpg>

<image001.jpg>

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
[Public Key](#)

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445

M

Ex. 6

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions: www.ap.org/tips

AP is the essential global news network, delivering fast, unbiased news from every corner of the world to all media platforms and formats. Founded in 1846, AP today is the largest and most trusted source of independent news and information. On any given day, more than half the world's population sees news from AP.

"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

<Hurricane Harvey rapid response and inspection sheet 9-2-17.xlsx>

Message

From: Konkus, John [konkus.john@epa.gov]
Sent: 9/2/2017 10:34:32 PM
To: Ferguson, Lincoln [ferguson.lincoln@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]
Subject: Re: EPA Superfund Release re: AP Story

Very good point.

On Sep 2, 2017, at 6:31 PM, Ferguson, Lincoln <ferguson.lincoln@epa.gov> wrote:

At least they changed the header, which is what was capturing so much attention.

Sent from my iPhone

On Sep 2, 2017, at 6:30 PM, Konkus, John <konkus.john@epa.gov> wrote:

Ap update the story, but it's not good: [https://apnews.com/27796dd13b9549b0ac76aded58a15122?utm_campaign=Soc
ialFlow&utm_source=Twitter&utm_medium=AP](https://apnews.com/27796dd13b9549b0ac76aded58a15122?utm_campaign=Soc%20ialFlow&utm_source=Twitter&utm_medium=AP)

The mayor of Houston is now quoted basically calling us out. Can we have the administrator call the mayor?

On Sep 2, 2017, at 6:27 PM, Ferguson, Lincoln <ferguson.lincoln@epa.gov> wrote:

Deliberative Process / Ex. 5

Sent from my iPhone

On Sep 2, 2017, at 6:13 PM, Bowman, Liz <[Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)> wrote:

What are your thoughts on this?

Sent from my iPhone

Begin forwarded message:

From: "Dorr, Kaelan K. EOP/WHO"

EOP / Ex. 6

Date: September 2, 2017 at 5:57:55 PM

EDT

To: "Bowman, Liz"

<Bowman.Liz@epa.gov>
Cc: "William.Booher@fema.dhs.gov"
<William.Booher@fema.dhs.gov>,
"Ditto, Jessica E. EOP/WHO"
EOP / Ex. 6 "Love,
Kelly A. EOP/WHO"
EOP / Ex. 6 "Rateike,
Bradley A. EOP/WHO"
EOP / Ex. 6
"Shah, Raj S. EOP/WHO"
EOP / Ex. 6 "Graham,
Amy" <graham.amy@epa.gov>,
"Konkus, John"
<konkus.john@epa.gov>, "Wilcox,
Jahan" <wilcox.jahan@epa.gov>,
"Hewitt, James"
<hewitt.james@epa.gov>, "Abboud,
Michael" <abboud.michael@epa.gov>
Subject: Re: EPA Superfund Release re:
AP Story

Deliberative Process / Ex. 5

Sent from my iPhone

On Sep 2, 2017, at 4:56 PM, Bowman,
Liz <Bowman.Liz@epa.gov> wrote:

All – Below, please
find a press release
that EPA is sending
shortly, to directly
address the
inaccurate AP story
claiming that EPA is
'not on the scene'
with regard to
superfund sites. Also
a few topline talking
points/background
for you. Please let
me know if you have
questions. Thank you
– Liz Bowman, EPA

**Talking Points re: AP
Story claiming EPA**

**not 'on the scene' of
Superfund Sites:**

? <!--[if
!supportLists]--
><!--[endif]--
>This story is
inaccurate,
misleading,
and yet
another
attempt by a
biased
reporter to
mislead the
public. This is
the same
reporter who
falsely
reported that
EPA
Administrator
Pruitt colluded
with Dow
chemical,
ultimately
resulting in
the AP having
to publish a
correction and
an updated
story.

? <!--[if
!supportLists]--
><!--[endif]--
>The facts are:
EPA has an
organized
emergency
response
team and
EPA's Region 6
office took
action prior to
the storm to
ensure that
Superfund
sites were
secured. EPA
assessed the

conditions in
the storm's
path and
made any
necessary
preparations
it could with
the
responsible
parties to
prepare for
high winds
and rainfall.

? <!--[if
!supportLists]--
><!--[endif]--
>EPA, the
Texas
Commission
on
Environmental
Quality, the
governor's
office and
county
officials are in
regular
contact and
have daily
calls
communicatin
g updates on
Superfund
sites, drinking
water, waste
water and air
quality.

? <!--[if
!supportLists]--
><!--[endif]--
>Safety of first
responders is
our first
priority. EPA
and other
emergency
response
personnel are
in direct

contact with
the parties
responsible
for cleaning
up Superfund
sites and are
making sure
those that can
be accessed
are inspected
and will access
the other sites
as soon as it is
safe to do so.

**STATUS OF
SUPERFUND SITES
IN AREAS
AFFECTED BY
HARVEY**

WASHINGTON
(September 2, 2017)
*– Despite misleading
and inaccurate
reporting, the facts
are that EPA and
TCEQ are working
together, along with
other local, state, and
federal authorities
and emergency
responders around
the clock to address
the human health and
environmental
impacts of Hurricane
Harvey and its effects,
especially historic and
devastating flooding
throughout Southeast
Texas. With regard to
the status of
Superfund sites:*

EPA has
conducted
initial

assessments
at 41
Superfund
sites in the
impacted
areas using
aerial images,
as well as
direct contact
with the
parties
responsible
for on-going
cleanup
activities. EPA
has
determined
that 28
Superfund
sites in the
area do not
currently
show damage
or excessive
flooding
associated
with
Harvey. EPA
determined
that 13 sites
have been
flooded
and/or are
experiencing
possible
damage due
to the storm.
Of these sites,
two (Falcon
Refinery and
the Brine
Service) have
been
inspected and
it has been
determined
that they do
not require
emergency

cleanup;
although,
additional
sampling in
the area will
continue to be
conducted.

Eleven sites,
including:
Bailey Waste
Disposal,
French LTD,
Geneva
Industries/Fuh
rmann Energy,
Gulfco
Marine,
Highland Acid
Pit, Malone
Services, U.S.
Oil Recovery,
Patrick Bayou,
Petro-
Chemical
Systems,
Triangle
Chemical, and
San Jacinto
Waste Pits
have not been
accessible by
response
personnel.
Teams are in
place to
investigate
possible
damage to
these sites as
soon flood
waters
recede, and
personnel are
able to safely
access the
sites.

The San Jacinto Waste Pits site has a temporary armored cap designed to prevent migration of hazardous material; the cap will be inspected as soon as it is safe for teams access the site. Based on forecasted river conditions, this inspection is planned for Monday, by boat. EPA has dive teams to survey the cap underwater when conditions allow.

EPA, TCEQ and other authorities will continue to provide additional updates as we gather them. We encourage the community to continue to follow the expert safety advice of local officials.

For additional information from

TCEQ, please visit:
><https://www.tceq.texas.gov/response/hurricanes><

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 9/2/2017 10:29:32 PM
To: Ferguson, Lincoln [ferguson.lincoln@epa.gov]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]
Subject: RE: EPA Superfund Release re: AP Story

Thank you

From: Ferguson, Lincoln
Sent: Saturday, September 2, 2017 6:27 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Konkus, John <konkus.john@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: Re: EPA Superfund Release re: AP Story

Deliberative Process / Ex. 5

Sent from my iPhone

On Sep 2, 2017, at 6:13 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

What are your thoughts on this?

Sent from my iPhone

Begin forwarded message:

From: "Dorr, Kaelan K. EOP/WHO" <[REDACTED] EOP / Ex. 6>
Date: September 2, 2017 at 5:57:55 PM EDT
To: "Bowman, Liz" <Bowman.Liz@epa.gov>
Cc: "William.Booher@fema.dhs.gov" <William.Booher@fema.dhs.gov>, "Ditto, Jessica E. EOP/WHO" <[REDACTED] EOP / Ex. 6>, "Love, Kelly A. EOP/WHO" <[REDACTED] EOP / Ex. 6>, "Rateike, Bradley A. EOP/WHO" <[REDACTED] EOP / Ex. 6>, "Shah, Raj S. EOP/WHO" <[REDACTED] EOP / Ex. 6>, "Graham, Amy" <graham.amy@epa.gov>, "Konkus, John" <konkus.john@epa.gov>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>, "Hewitt, James" <hewitt.james@epa.gov>, "Abboud, Michael" <abboud.michael@epa.gov>
Subject: Re: EPA Superfund Release re: AP Story

Deliberative Process / Ex. 5

Sent from my iPhone

On Sep 2, 2017, at 4:56 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

All – Below, please find a press release that EPA is sending shortly, to directly address the inaccurate AP story claiming that EPA is ‘not on the scene’ with regard to superfund sites. Also a few topline talking points/background for you. Please let me know if you have questions. Thank you – Liz Bowman, EPA

Talking Points re: AP Story claiming EPA not ‘on the scene’ of Superfund Sites:

- ? This story is inaccurate, misleading, and yet another attempt by a biased reporter to mislead the public. This is the same reporter who falsely reported that EPA Administrator Pruitt colluded with Dow chemical, ultimately resulting in the AP having to publish a correction and an updated story.
- ? The facts are: EPA has an organized emergency response team and EPA’s Region 6 office took action prior to the storm to ensure that Superfund sites were secured. EPA assessed the conditions in the storm’s path and made any necessary preparations it could with the responsible parties to prepare for high winds and rainfall.
- ? EPA, the Texas Commission on Environmental Quality, the governor’s office and county officials are in regular contact and have daily calls communicating updates on Superfund sites, drinking water, waste water and air quality.
- ? Safety of first responders is our first priority. EPA and other emergency response personnel are in direct contact with the parties responsible for cleaning up Superfund sites and are making sure those that can be accessed are inspected and will access the other sites as soon as it is safe to do so.

STATUS OF SUPERFUND SITES IN AREAS AFFECTED BY HARVEY

WASHINGTON (September 2, 2017) – *Despite misleading and inaccurate reporting, the facts are that EPA and TCEQ are working together, along with other local, state, and federal authorities and emergency responders around the clock to address the human health and environmental impacts of Hurricane Harvey and its effects, especially historic and devastating flooding throughout Southeast Texas. With regard to the status of Superfund sites:*

EPA has conducted initial assessments at 41 Superfund sites in the impacted areas using aerial images, as well as direct contact with the parties responsible for on-going cleanup activities. EPA has determined that 28 Superfund sites in the area do not currently show damage or excessive flooding associated with Harvey. EPA

determined that 13 sites have been flooded and/or are experiencing possible damage due to the storm. Of these sites, two (Falcon Refinery and the Brine Service) have been inspected and it has been determined that they do not require emergency cleanup; although, additional sampling in the area will continue to be conducted.

Eleven sites, including: Bailey Waste Disposal, French LTD, Geneva Industries/Fuhrmann Energy, Gulfco Marine, Highland Acid Pit, Malone Services, U.S. Oil Recovery, Patrick Bayou, Petro-Chemical Systems, Triangle Chemical, and San Jacinto Waste Pits have not been accessible by response personnel. Teams are in place to investigate possible damage to these sites as soon flood waters recede, and personnel are able to safely access the sites.

The San Jacinto Waste Pits site has a temporary armored cap designed to prevent migration of hazardous material; the cap will be inspected as soon as it is safe for teams access the site. Based on forecasted river conditions, this inspection is planned for Monday, by boat. EPA has dive teams to survey the cap underwater when conditions allow.

EPA, TCEQ and other authorities will continue to provide additional updates as we gather them. We encourage the community to continue to follow the expert safety advice of local officials.

For additional information from TCEQ, please visit:
><https://www.tceq.texas.gov/response/hurricanes><

Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 4/5/2018 12:38:12 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
CC: Press [Press@epa.gov]
Subject: Requests for comment

Jahan, Liz,

Please provide comment on the resignation of Samantha Dravis and Kevin Minoli's letter saying he wasn't given full info Pruitt's living arrangement before issuing the earlier memo you distributed.

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
Twitter: @mbieseck
[Public Key](#)

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445

M **Ex. 6**

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions: www.ap.org/tips

AP is the essential global news network, delivering fast, unbiased news from every corner of the world to all media platforms and formats. Founded in 1846, AP today is the largest and most trusted source of independent news and information. On any given day, two thirds of the world's population sees news from AP.

"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 3/7/2018 3:51:06 PM
To: Rateike, Bradley A. EOP/WHO Ex. 6
Subject: RE: Talking points

On John Konkus and Patrick Davis:

- These opportunities were reviewed and approved by career ethics officials at EPA.
- Patrick Davis was approved by EPA ethics officials back in Feb 2017 and John Konkus in Aug 2017.
- There are at least two instances of political appointees under Obama's EPA that also were given approval for outside activity: one was for teaching a political course at a university (for compensation) and the other was to serve on an outside board (uncompensated).

On Patrick Davis (In EPA's Region 8 (Denver) Office):

- On the PAC: The situation with vote 2 reduce debt was mitigated to a mutually agreed upon private amicable conclusion.
- Patrick works with Telephone Town Hall Meeting as he did before he joined the EPA. His role with TTHM is to maintain the relationships he had established for them over several years and to make new connections for the company. As instructed by the EPA career ethics official's memo obtained through FOIA, his work with TTHM is conducted on his own time and does not intersect with work for EPA.

On the Associated Press Story:

- The Associated Press issued a correction to their false reporting on EPA's FOIA responses yesterday in this article, stating **"The Associated Press reported erroneously that the agency did not release any documents in response to a FOIA request."** The reporter, Michael Biesecker, received a FOIA response on March 2nd with all recusal statements, impartiality determinations and waivers through 2/16.
- BACKGROUND: In the original Michael Biesecker of the Associated Press article, he claimed: "The AP filed a public records request with EPA in August under the Freedom of Information Act, seeking copies of all ethics letters, agreements or waivers for Pruitt's team. So far, the agency has yet to release a single document." **This is not true:**
 - EPA's senior counsel for ethics said that: Earlier this month, OGC/Ethics issued 15 interim FOIA releases and closed out about 50 FOIA requests. EPA's ethics office did an interim release to Michael Biesecker with the AP on March 2nd and provided all recusal statements, impartiality determinations and waivers through 2/16.

From: Rateike, Bradley A. EOP/WHO [mailto:Bradley.A.Rateike@epa.gov]
Sent: Wednesday, March 7, 2018 10:21 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Talking points

Ex. 6

Liz,

What are you saying in response to inquiries on EPA employees receiving waivers for supplemental employment?

Brad

Brad Rateike

Director of Cabinet Communications

White House Office of Communications

Ex. 6

Desk: **Ex. 6**

Mobile: **Ex. 6**

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 12/13/2017 8:41:20 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Shah, Raj S. EOP/WHO [Ex. 6]; Rateike, Bradley A. EOP/WHO [Ex. 6]
Subject: RE: Raj and Brad

The New York Times is also writing, but more focused on the fact that we did not send out a media advisory beforehand inviting press to the trip.

From: Wilcox, Jahan
Sent: Wednesday, December 13, 2017 12:25 PM
To: Shah, Raj S. EOP/WHO [Ex. 6]; Rateike, Bradley A. EOP/WHO [Ex. 6]
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Raj and Brad

AP is trying to write a negative story about our trip to Morocco. Below are drafted responses that are currently being reviewed on our end. Also for your knowledge, AP does not the correct costs (little cheaper) and staffers who went on this trip and don't feel like it's my job to be a source to correct them.

DRAFT STATEMENTS ...

Deliberative Process / Ex. 5

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, December 13, 2017 11:32 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Pruitt in Paris/Morocco

Jahan,

I see you guys issued a press release about Pruitt's trip to Morocco, after refusing to comment about it to AP. We plan to write about the taxpayer-incurred costs of the trip.

They include Pruitt's airline ticket cost \$17,597.49 and a total cost of at least \$39,067 for five people (including Pruitt, Ryan Jackson, Samantha Dravis and security staff).

Please provide on the record comment on EPA's perspective on why these costs were justified. How did the purpose of the trip, which was to promote "the potential benefit of liquefied natural gas imports on Morocco's economy" fulfil EPA's mission to protect the environment and enforce U.S. environmental laws?

Also, please comment on why the cost of Pruitt's ticket was several times that of the others in the EPA contingent and would appear to indicate he flew First Class. Why was that level of luxury necessary for a public servant traveling at taxpayer expense?

I have a 1:30 deadline for this story, so your quick response is appreciated.

Thanks,

Michael

From: Biesecker, Michael
Sent: Tuesday, December 12, 2017 1:30 PM
To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Pruitt in Paris/Morocco

Can you affirm on the record that all of Administrator Pruitt's meeting with Bob Murray are listed on his calendar?

From: Wilcox, Jahan [<mailto:wilcox.jahan@epa.gov>]
Sent: Tuesday, December 12, 2017 12:34 PM
To: Biesecker, Michael <MBiesecker@ap.org>
Cc: Press <Press@epa.gov>
Subject: RE: Pruitt in Paris/Morocco

"Due to security concerns we do not comment on Administrator Pruitt's upcoming schedule, but every meeting that he attends is posted on www.epa.gov."

From: Biesecker, Michael [<mailto:MBiesecker@ap.org>]
Sent: Tuesday, December 12, 2017 12:09 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: RE: Pruitt in Paris/Morocco

Still hoping to get a response to this. Administrator Pruitt is a public official. His travel shouldn't be a secret.

Michael

From: Biesecker, Michael
Sent: Monday, December 11, 2017 2:41 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: Pruitt in Paris/Morocco

Liz, Jahan,

Can you confirm whether Administrator Pruitt will be attending the climate summit in Paris this week. We also heard he's headed to Morocco. Could you provide any detail about what he'll be doing there?

Thanks,

Michael

Get Outlook for iOS

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Jahan Wilcox

EPA

Strategic Communications Advisor

Work Cell Ex. 6

Work Email: wilcox.jahan@epa.gov

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 9/3/2017 8:21:15 PM
To: Henning, Alexa A. EOP/WHO [EOP / Ex. 6]
Subject: RE: CBS National News Urgent Request

We think the statement is enough at this time. The Administrator is in Tulsa, and our EPA staff are all traveling to Houston. We can see if one of them can do it,.

From: Henning, Alexa A. EOP/WHO [mailto:EOP / Ex. 6]
Sent: Sunday, September 3, 2017 4:17 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: CBS National News Urgent Request

Is anyone prepared to do this or is the statement enough?

Sent from my iPhone

On Sep 3, 2017, at 4:03 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

They just want to interview someone from EPA on the ground.

From: Henning, Alexa A. EOP/WHO [mailto:EOP / Ex. 6]
Sent: Sunday, September 3, 2017 3:54 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: CBS National News Urgent Request

Are they asking to interview the Administrator?

Sent from my iPhone

On Sep 3, 2017, at 3:43 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

FYI

From: West, Caroline [mailto:WestC@cbsnews.com]
Sent: Sunday, September 3, 2017 3:28 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Gray, David <gray.david@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: RE: CBS National News Urgent Request

We have crews in Houston that would be able to meet up with your staff this afternoon/evening. If Houston doesn't work out we also have staff in DC who would be able to conduct the interview. Whatever is easiest for you all.

From: Bowman, Liz [<mailto:Bowman.Liz@epa.gov>]
Sent: Sunday, September 03, 2017 2:48 PM
To: West, Caroline <WestC@cbsnews.com>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Gray, David <gray.david@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: RE: CBS National News Urgent Request

In DC or in Texas? Our staff is en route toward Houston so it may be hard to get someone on air today. What time frame are you looking at? And, where?

From: West, Caroline [<mailto:WestC@cbsnews.com>]
Sent: Sunday, September 3, 2017 2:43 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: CBS National News Urgent Request

Thank you Liz.

Will anyone be available to talk with us on-camera today? We are preparing a report to air tomorrow morning on CBS This Morning.

Thanks,

Caroline

On Sep 3, 2017, at 2:31 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Hi Caroline – Off the record: As you can imagine, we have had a barrage of requests to visit Superfund sites. We are doing our best to figure out logistics and will get back with you shortly. Thank you – Liz

From: West, Caroline [<mailto:WestC@cbsnews.com>]
Sent: Sunday, September 3, 2017 2:28 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: CBS National News Urgent Request

Hi again,

Just wanted to check in on this request.

Thanks!

Caroline

From: West, Caroline
Sent: Saturday, September 02, 2017 5:36 PM

To: 'Bowman, Liz' <Bowman.Liz@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: CBS National News Urgent Request

Liz,

Thank you for sending this my way. ***CBS This Morning*** remains interested in talking with someone from the EPA on-camera for our report. Is there anyone who is available to talk with us?

Also, you mentioned the San Jacinto Waste Pits site will be inspected soon. Would we be able to tag along with a team to see the process?

I appreciate all your help!

Caroline

From: Bowman, Liz [<mailto:Bowman.Liz@epa.gov>]
Sent: Saturday, September 02, 2017 5:13 PM
To: West, Caroline <WestC@cbsnews.com>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: FW: CBS National News Urgent Request

Hi Caroline – I want to make sure you have the FACTUAL, CORRECT information on what EPA and other officials are doing to respond to the effects of the hurricane on Superfund sites. The AP's story is misleading and inaccurate. Please see below. Thank you – Liz Bowman, EPA

STATUS OF SUPERFUND SITES IN AREAS AFFECTED BY HARVEY

WASHINGTON (September 2, 2017) – *Despite misleading and inaccurate reporting, the facts are that EPA and TCEQ are working together, along with other local, state, and federal authorities and emergency responders around the clock to address the human health and environmental impacts of Hurricane Harvey and its effects, especially historic and devastating flooding throughout Southeast Texas. With regard to the status of Superfund sites:*

EPA has conducted initial assessments at 41 Superfund sites in the impacted areas using aerial images, as well as direct contact with the parties responsible for on-going cleanup activities. EPA has determined that 28 Superfund sites in the area do not currently show damage or excessive flooding associated with Harvey. EPA

determined that 13 sites have been flooded and/or are experiencing possible damage due to the storm. Of these sites, two (Falcon Refinery and the Brine Service) have been inspected and it has been determined that they do not require emergency cleanup; although, additional sampling in the area will continue to be conducted.

Eleven sites, including: Bailey Waste Disposal, French LTD, Geneva Industries/Fuhrmann Energy, Gulfco Marine, Highland Acid Pit, Malone Services, U.S. Oil Recovery, Patrick Bayou, Petro-Chemical Systems, Triangle Chemical, and San Jacinto Waste Pits have not been accessible by response personnel. Teams are in place to investigate possible damage to these sites as soon flood waters recede, and personnel are able to safely access the sites.

The San Jacinto Waste Pits site has a temporary armored cap designed to prevent migration of hazardous material; the cap will be inspected as soon as it is safe for teams access the site. Based on forecasted river conditions, this inspection is planned for Monday, by boat. EPA has dive teams to survey the cap underwater when conditions allow.

EPA, TCEQ and other authorities will continue to provide additional updates as we gather them. We encourage the community to continue to follow the expert safety advice of local officials.

For additional information from TCEQ, please visit:

>>[<<https://www.tceq.texas.gov/response/hurricanes](https://www.tceq.texas.gov/response/hurricanes)<<;

From: West, Caroline [<mailto:WestC@cbsnews.com>]

Sent: Saturday, September 02, 2017 2:32 PM

To: Gray, David <gray.david@epa.gov>

Cc: Press <Press@epa.gov>

Subject: CBS National News Urgent Request

Good afternoon,

My name is Caroline West and I'm a producer for ***CBS This Morning*** with Gayle King, Charlie Rose and Norah O'Donnell. We are preparing a report regarding the toxic waste sites flooded in Highlands, TX and other areas. Is there anyone available for an **on-camera interview either tomorrow afternoon or on Monday** to discuss this with us?

We are interested in learning when EPA experts will be able to inspect Houston-area sites and what is currently being done. I saw that EPA

staff had checked on two other sites in Corpus Christi, just wanted to confirm this with you. If there's any additional information you can provide please send it my way. Also, let me know as soon as possible about an on-camera interview.

My number is **Ex. 6**

Thank you,

Caroline West

<image001.jpg> | Caroline West | westc@cbsnews.com | Producer | CBS This Morning | (212) 975-2374 **Ex. 6**

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 9/2/2017 10:10:31 PM
To: Alexa Henning EOP / Ex. 6
Subject: Fwd: CBS National News Request

The Administrator isn't available today, but let us know if you need us to try to make him available later this weekend.

Sent from my iPhone

Begin forwarded message:

From: "West, Caroline" <WestC@cbsnews.com>
Date: September 2, 2017 at 5:35:57 PM EDT
To: "Bowman, Liz" <Bowman.Liz@epa.gov>
Cc: "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Graham, Amy" <graham.amy@epa.gov>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Subject: RE: CBS National News Urgent Request

Liz,

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I appreciate all your help!

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Sent: Saturday, September 02, 2017 5:13 PM
To: West, Caroline <WestC@cbsnews.com>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: FW: CBS National News Urgent Request

Hi Caroline – I want to make sure you have the FACTUAL, CORRECT information on what EPA and other officials are doing to respond to the effects of the hurricane on Superfund sites. The AP's story is misleading and inaccurate. Please see below. Thank you – Liz Bowman, EPA

STATUS OF SUPERFUND SITES IN AREAS AFFECTED BY HARVEY

WASHINGTON (September 2, 2017) – *Despite misleading and inaccurate reporting, the facts are that EPA and TCEQ are working together, along with other local, state, and federal authorities and emergency responders around the clock to address the human health and environmental*

impacts of Hurricane Harvey and its effects, especially historic and devastating flooding throughout Southeast Texas. With regard to the status of Superfund sites:

EPA has conducted initial assessments at 41 Superfund sites in the impacted areas using aerial images, as well as direct contact with the parties responsible for on-going cleanup activities. EPA has determined that 28 Superfund sites in the area do not currently show damage or excessive flooding associated with Harvey. EPA determined that 13 sites have been flooded and/or are experiencing possible damage due to the storm. Of these sites, two (Falcon Refinery and the Brine Service) have been inspected and it has been determined that they do not require emergency cleanup; although, additional sampling in the area will continue to be conducted.

Eleven sites, including: Bailey Waste Disposal, French LTD, Geneva Industries/Fuhrmann Energy, Gulfco Marine, Highland Acid Pit, Malone Services, U.S. Oil Recovery, Patrick Bayou, Petro-Chemical Systems, Triangle Chemical, and San Jacinto Waste Pits have not been accessible by response personnel. Teams are in place to investigate possible damage to these sites as soon flood waters recede, and personnel are able to safely access the sites.

The San Jacinto Waste Pits site has a temporary armored cap designed to prevent migration of hazardous material; the cap will be inspected as soon as it is safe for teams access the site. Based on forecasted river conditions, this inspection is planned for Monday, by boat. EPA has dive teams to survey the cap underwater when conditions allow.

EPA, TCEQ and other authorities will continue to provide additional updates as we gather them. We encourage the community to continue to follow the expert safety advice of local officials.

For additional information from TCEQ, please visit:

<https://www.tceq.texas.gov/response/hurricanes>

From: West, Caroline [<mailto:WestC@cbsnews.com>]

Sent: Saturday, September 02, 2017 2:32 PM

To: Gray, David <gray.david@epa.gov>

Cc: Press <Press@epa.gov>

Subject: CBS National News Urgent Request

Good afternoon,

My name is Caroline West and I'm a producer for ***CBS This Morning*** with Gayle King, Charlie Rose and Norah O'Donnell. We are preparing a report regarding the toxic waste sites flooded in Highlands, TX and other areas. Is there anyone available for an **on-camera interview either tomorrow afternoon or on Monday** to discuss this with us?

We are interested in learning when EPA experts will be able to inspect Houston-area sites and what is currently being done. I saw that EPA staff had checked on two other sites in Corpus Christi, just wanted

to confirm this with you. If there's any additional information you can provide please send it my way. Also, let me know as soon as possible about an on-camera interview.

My number is **Ex. 6**

Thank you,

Caroline West

📞 | Caroline West | westc@cbsnews.com | Producer | CBS This Morning | (212) 975-2374 **Ex. 6**

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 9/2/2017 8:56:35 PM
To: Jackson, Ryan [jackson.ryan@epa.gov]; Wagner, Kenneth [wagner.kenneth@epa.gov]
Subject: FW: EPA Superfund Release re: AP Story

This has been sent to WH, DHS & FEMA (the release was sent to TCEQ).

From: Bowman, Liz
Sent: Saturday, September 2, 2017 4:56 PM
To: William.Booher@fema.dhs.gov; Ditto, Jessica E. EOP/WHO [REDACTED] 'Love, Kelly A. EOP/WHO' [REDACTED] 'Dorr, Kaelan K. EOP/WHO' [REDACTED] Rateike, Bradley A. EOP/WHO [REDACTED] Shah, Raj S. EOP/WHO' <[REDACTED]>
Cc: Graham, Amy <graham.amy@epa.gov>; Konkus, John <konkus.john@epa.gov>; Jahan Wilcox (wilcox.jahan@epa.gov) <wilcox.jahan@epa.gov>; hewitt.james@epa.gov; Abboud, Michael <abboud.michael@epa.gov>
Subject: EPA Superfund Release re: AP Story

All – Below, please find a press release that EPA is sending shortly, to directly address the inaccurate AP story claiming that EPA is ‘not on the scene’ with regard to superfund sites. Also a few topline talking points/background for you. Please let me know if you have questions. Thank you – Liz Bowman, EPA

Talking Points re: AP Story claiming EPA not ‘on the scene’ of Superfund Sites:

- This story is inaccurate, misleading, and yet another attempt by a biased reporter to mislead the public. This is the same reporter who falsely reported that EPA Administrator Pruitt colluded with Dow chemical, ultimately resulting in the AP having to publish a correction and an updated story.
- The facts are: EPA has an organized emergency response team and EPA’s Region 6 office took action prior to the storm to ensure that Superfund sites were secured. EPA assessed the conditions in the storm’s path and made any necessary preparations it could with the responsible parties to prepare for high winds and rainfall.
- EPA, the Texas Commission on Environmental Quality, the governor’s office and county officials are in regular contact and have daily calls communicating updates on Superfund sites, drinking water, waste water and air quality.
- Safety of first responders is our first priority. EPA and other emergency response personnel are in direct contact with the parties responsible for cleaning up Superfund sites and are making sure those that can be accessed are inspected and will access the other sites as soon as it is safe to do so.

STATUS OF SUPERFUND SITES IN AREAS AFFECTED BY HARVEY

WASHINGTON (September 2, 2017) – *Despite misleading and inaccurate reporting, the facts are that EPA and TCEQ are working together, along with other local, state, and federal authorities and emergency responders around the clock to address the human health and environmental impacts of Hurricane Harvey and its effects, especially historic and devastating flooding throughout Southeast Texas. With regard to the status of Superfund sites:*

EPA has conducted initial assessments at 41 Superfund sites in the impacted areas using aerial images, as well as direct contact with the parties responsible for on-going cleanup activities. EPA has

determined that 28 Superfund sites in the area do not currently show damage or excessive flooding associated with Harvey. EPA determined that 13 sites have been flooded and/or are experiencing possible damage due to the storm. Of these sites, two (Falcon Refinery and the Brine Service) have been inspected and it has been determined that they do not require emergency cleanup; although, additional sampling in the area will continue to be conducted.

Eleven sites, including: Bailey Waste Disposal, French LTD, Geneva Industries/Fuhrmann Energy, Gulfco Marine, Highland Acid Pit, Malone Services, U.S. Oil Recovery, Patrick Bayou, Petro-Chemical Systems, Triangle Chemical, and San Jacinto Waste Pits have not been accessible by response personnel. Teams are in place to investigate possible damage to these sites as soon flood waters recede, and personnel are able to safely access the sites.

The San Jacinto Waste Pits site has a temporary armored cap designed to prevent migration of hazardous material; the cap will be inspected as soon as it is safe for teams access the site. Based on forecasted river conditions, this inspection is planned for Monday, by boat. EPA has dive teams to survey the cap underwater when conditions allow.

EPA, TCEQ and other authorities will continue to provide additional updates as we gather them. We encourage the community to continue to follow the expert safety advice of local officials.

For additional information from TCEQ, please visit: <https://www.tceq.texas.gov/response/hurricanes>

Message

From: McGinley, William J. EOP/WHO [Ex. 6]
Sent: 9/2/2017 7:01:58 PM
To: Jackson, Ryan [jackson.ryan@epa.gov]
Subject: RE: Hurricane Harvey Press

Sounds good. Please keep us updated. Thanks.

William J. McGinley
Cabinet Secretary
The White House
Cell: [Ex. 6] | E: [Ex. 6]

From: Jackson, Ryan [mailto:jackson.ryan@epa.gov]
Sent: Saturday, September 2, 2017 3:01 PM
To: McGinley, William J. EOP/WHO <[Ex. 6]>
Subject: Re: Hurricane Harvey Press

Yes. Entirely untrue. This is the AP reporter who had to print a retraction after Julie pace his editor got on his about a chemical story he published. [Deliberative Process / Ex. 5]

[Deliberative Process / Ex. 5]

Ryan Jackson
Chief of Staff
U.S. EPA
[Ex. 6]

On Sep 2, 2017, at 2:00 PM, McGinley, William J. EOP/WHO [Ex. 6] wrote:

Ryan,

Assuming you have seen this article. Any updates you can share?

AP

BREAKING: AP Exclusive: Many Houston ultra-polluted Superfund sites are flooded, concerns about toxins spreading; EPA not on scene.

>>[<<https://twitter.com/AP/status/904031403985305601](https://twitter.com/AP/status/904031403985305601)<<

William McGinley
Cabinet Secretary
The White House

Sent from my iPhone. Please forgive typos.

From: McGinley, William J. EOP/WHO
Sent: 9/2/2017 8:02:50 PM
To: Jackson, Ryan [jackson.ryan@epa.gov]
Subject: Re: Hurricane Harvey Press

Ex. 6

Many thanks.

William McGinley
Cabinet Secretary
The White House

Sent from my iPhone. Please forgive typos.

On Sep 2, 2017, at 3:56 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

Please use as much as you'd like.

Deliberative Process / Ex. 5

This reporter chose not to include this information. This is the same reporter who claimed that the Dow CEO and Pruitt met before we decided not to ban one of dows most used chemicals and literally they have NEVER met and we told him that.

Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6

On Sep 2, 2017, at 2:00 PM, McGinley, William J. EOP/WHO

< **Ex. 6** > wrote:

Ryan,

Assuming you have seen this article. Any updates you can share?

AP

BREAKING: AP Exclusive: Many Houston ultra-polluted
Superfund sites are flooded, concerns about toxins spreading; EPA
not on scene.

>>[>>https://twitter.com/AP/status/904031403985305601](https://twitter.com/AP/status/904031403985305601)<<:

William McGinley
Cabinet Secretary
The White House

Sent from my iPhone. Please forgive typos.

From: Deere, Judd P. EOP/WHO **Ex. 6**
Sent: 9/15/2018 2:48:31 AM
To: Konkus, John [konkus.john@epa.gov]
CC: Parkinson, Zach Z. EOP/WHO **Ex. 6**
Subject: Re: AP: Regulators keep watch on toxic waste sites during hurricane

Nice work

Sent from my iPhone

On Sep 14, 2018, at 10:01 PM, Konkus, John <konkus.john@epa.gov> wrote:

Good process story:

>https://www.tampabay.com/ap/national/regulators-keep-watch-on-toxic-waste-sites-during-hurricane-ap_national71fa50739ae84e59a7deccfb4cf017cc<

Regulators keep watch on toxic waste sites during hurricane

As Hurricane Florence spins inland, environmental regulators are monitoring more than three dozen toxic waste sites in the storm's path, as well as scores of low-lying water- and sewage-treatment plants at risk of flooding.

The Environmental Protection Agency has identified 41 Superfund sites in threatened parts of the Carolinas, Virginia and Maryland and Georgia, including polluted industrial sites, chemical plants, coastal shipyards and military bases.

EPA spokesman John Konkus said the agency is listening for any word of oil or hazardous substance spills from first responders, media reports and state and local emergency command posts. He said federal on-scene coordinators and equipment stand ready to deploy if needed.

Superfund sites are among the nation's most highly polluted places. They often contain contaminated soil and toxic waste at risk of spreading if covered by floodwaters. More than a dozen Superfund sites in the Houston metro area were flooded last year during Hurricane Harvey, with breaches of potentially harmful materials reported at two.

Though it was downgraded to a Category 1 hurricane at landfall Friday, Florence remains a massive storm that will dump trillions of gallons of rain on eastern North Carolina before sweeping across South Carolina.

No toxic spills had been reported as of Friday afternoon, but the region's rivers were not expected to crest for days. Forecasters predicted severe flooding for parts of southeastern North Carolina and northeastern South Carolina starting Sunday.

The worst natural disaster in North Carolina history was Hurricane Floyd in 1999, which dumped nearly 2 feet of rain and flooded a broad swath of the coastal plain, swamping whole towns and dozens of hog farm lagoons containing millions of gallons of untreated urine and feces.

Florence, a slow-moving system that forecasters say could release more than 3 feet of rain in places, could end up being even worse.

Environmental groups said Friday that they were worried that scores of hog lagoons will burst again or be overtopped by flooding, spilling their contents into rivers used as sources of drinking water. Also of concern were more than three dozen coal ash dumps at power plants in the region. The gray ash that remains after coal is burned contains potentially harmful amounts of mercury, arsenic and lead.

Among the Superfund sites most at risk from Florence is Horton Iron and Metal, a former shipbreaking operation and fertilizer manufacturing site in a low-lying floodplain along the Cape Fear River outside Wilmington, North Carolina. The 7.4-acre site is heavily contaminated with pesticides, asbestos, toxic metals and cancer-causing PCBs.

Upriver along the Cape Fear is Carolina Transformer Co., a 5-acre Superfund site in Fayetteville that also contains contaminated soil and groundwater contaminated with PCBs.

Forecasts call for the river to crest Monday at Fayetteville at more than 62 feet — nearly 30 feet above flood stage.

In Elizabeth City, the Triangle Pacific Corp. site includes a World War II-era Navy blimp base along the Pasquotank River that was later purchased by a company that manufactured wooden cabinetry. The site is contaminated with toluene, acetone, cadmium and arsenic.

Also of concern is the sprawling Norfolk Naval Shipyard in Virginia and Marine Corps bases at Camp Lejeune and Cherry Point in North Carolina and at Parris Island in South Carolina.

The shipyard near the mouth of the Chesapeake Bay dates to 1767 and contains contaminated soil and groundwater from more than two centuries' worth of dumped hazardous chemicals. Hazards at the Marine bases include ground saturated with toxic chemicals, old paint, ash from old trash burn pits and unexploded ordnance.

Nationwide, there are 327 Superfund sites in areas prone to flooding or vulnerable to sea-level rise caused by climate change, according to an Associated Press analysis of flood zone maps, census data and EPA records. Nearly 2 million Americans live within a mile of the most at-risk sites.

Follow Associated Press investigative reporter Michael Biesecker at [>http://twitter.com/mbieseck<](http://twitter.com/mbieseck) .

Sent from my iPhone

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 12/18/2017 6:41:22 PM
To: Shah, Raj S. EOP/WHO [REDACTED] EOP / Ex. 6; Rateike, Bradley A. EOP/WHO [REDACTED] EOP / Ex. 6
Love, Kelly A. EOP/WHO [REDACTED] EOP / Ex. 6
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]
Subject: AP / Spending

We also shared this statement as well on a different chain.

“A similar security sweep was done for EPA Administrator Lisa Jackson.” – EPA spokesman, Jahan Wilcox

From: Wilcox, Jahan
Sent: Monday, December 18, 2017 1:16 PM
To: Pace, Julie <JPace@ap.org>; 'Biesecker, Michael' <MBiesecker@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Julie and Michael -

Julie and Michael – below are the answers in bold.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, December 18, 2017 1:05 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Julie and Michael -

Jahan,

Could you please clarify how electronic surveillance would potentially imperil Administrator Pruitt's physical security?

“Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA's Protective Service Detail.” – EPA spokesman, Jahan Wilcox

Also, we have not seen and, depending on the amount, don't have access to what was spent on a bug sweep under Lisa Jackson, but I'm interested in reporting that out. Can you provide the documentation on that, including the date, amount and the name of the vendor?

“Please ask your source, who apparently has access to the database of EPA's expenditures.” – EPA spokesman, Jahan Wilcox

Thanks,

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Monday, December 18, 2017 12:29 PM
To: Pace, Julie <JPace@ap.org>; Biesecker, Michael <MBiesecker@ap.org>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Julie and Michael -

Below are our on-the-record responses in bold that you can attribute to me.

From: Biesecker, Michael [<mailto:MBiesecker@ap.org>]

Sent: Monday, December 18, 2017 11:47 AM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Bug sweeping, biometric locks

Liz, Jahan,

AP will be publishing a story about \$3,000 in taxpayer funds expended in April for a contractor to sweep Administrator Pruitt's office for electronic listening devices. We will also be reporting on spending to install biometric locks in his suite.

When coupled with the previously reported purchase of the privacy booth, it raises questions about why Pruitt feels the need to invest in courier-surveillance measures that none of his predecessors felt were necessary. EPA headquarters is a secure building with armed security and metal detectors at the entrances. Pruitt also has his personal security detail. Is the administrator concerned about the potential for electronic spying against him by the agency's own employees?

"Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA's Protective Service Detail." – EPA spokesman, Jahan Wilcox

As part of the same story, we will also be mentioning the \$120,000 Definers contract and the FOIAs filed by America Rising targeted at EPA employees viewed as potentially disloyal to the Trump administration. Please provide any comment you have on those issues.

"Definers was awarded the contract to do our press clips at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services. This year, EPA has received over 10,000 public information requests from journalists and individuals across the political spectrum and we're responding to them in a manner that is fair and efficient. If you have questions regarding how Definers operates, we encourage you to contact them." – EPA spokesman, Jahan Wilcox

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker

Reporter

mbiesecker@ap.org

Twitter: @mbieseck

[Public Key](#)

1100 13 St. NW, Suite 700

Washington, D.C. 20005-4076

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M **Ex. 6**

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 1/19/2018 4:05:19 PM
To: Rateike, Bradley A. EOP/WHO [EOP / Ex. 6]
Subject: RE: Government Shutdown procedures for EPA

Sounds good. I was not invited to the OMB call. Will do.

From: Rateike, Bradley A. EOP/WHO [EOP / Ex. 6]
Sent: Friday, January 19, 2018 11:03 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Shah, Raj S. EOP/WHO [EOP / Ex. 6]; Love, Kelly A. EOP/WHO [EOP / Ex. 6]
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Konkus, John <konkus.john@epa.gov>
Subject: RE: Government Shutdown procedures for EPA

Jahan,

[Deliberative Process / Ex. 5]
[Deliberative Process / Ex. 5] If there are questions you are unable to answer, those can be directed to OMB. Due to volume, we're not planning to have OMB answer all media questions unless they are questions only OMB can answer.

Brad

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, January 19, 2018 10:54 AM
To: Rateike, Bradley A. EOP/WHO [EOP / Ex. 6]; Shah, Raj S. EOP/WHO [EOP / Ex. 6]; Love, Kelly A. EOP/WHO [EOP / Ex. 6]
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Konkus, John <konkus.john@epa.gov>
Subject: FW: Government Shutdown procedures for EPA

This is what I've been directed to do and will continue to do this until we hear otherwise.

SKOL

From: Wilcox, Jahan
Sent: Friday, January 19, 2018 10:53 AM
To: 'Biesecker, Michael' <MBiesecker@ap.org>; Pace, Julie <JPace@ap.org>; Feldman, Carole <CFeldman@ap.org>
Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Government Shutdown procedures for EPA

We are directing all inquiries and questions regarding shutdown plans to OMB.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, January 19, 2018 10:46 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>; Feldman, Carole <CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Government Shutdown procedures for EPA

We are in touch with OMB, of course, but some other agencies have referred us to their published shutdown plans online.

We see to Dec. 2017 shutdown plan on the EPA website. Is that still the current one for the agency?

From: Wilcox, Jahan [<mailto:wilcox.jahan@epa.gov>]

Sent: Friday, January 19, 2018 10:44 AM

To: Biesecker, Michael <MBiesecker@ap.org>; Pace, Julie <JPace@ap.org>; Feldman, Carole <CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Government Shutdown procedures for EPA

The Associated Press should contact OMB, regarding questions that pertain to a potential government shutdown.

From: Biesecker, Michael [<mailto:MBiesecker@ap.org>]

Sent: Friday, January 19, 2018 10:32 AM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Cc: Press <Press@epa.gov>

Subject: Government Shutdown procedures for EPA

Liz, Jahan,

With a potential government shutdown looming, The Associated Press is contacting federal cabinet agencies for a rundown of which functions will be put on hold and which will continue under the provision for essential operations. Will Superfund cleanups be put on hold, environmental enforcement actions, etc.? What about staff travel?

We're pulling together a roundup for today that will include numerous agencies, so we would like to include EPA.

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker

Reporter

mbiesecker@ap.org

Twitter: @mbieseck

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M Ex. 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 4/10/2018 10:07:20 PM
To: Shah, Raj S. EOP/WHO [Ex. 6]; Cheung, Steven EOP/WHO [Ex. 6]
Rateike, Bradley A. EOP/WHO [Ex. 6]
Subject: FW: Request for comment

FYI ...

From: Wilcox, Jahan
Sent: Tuesday, April 10, 2018 5:57 PM
To: 'Biesecker, Michael' <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>; Pace, Julie <JPace@ap.org>
Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Request for comment

EPA STATEMENT: **"We do not comment on personnel matters. The action today was based on a recommendation by the Office of Administration and Resources Management. I am not aware of any connection between the personnel matter and the document mentioned in media reports."**

– Donna Vizian, EPA Principal Deputy Assistant Administrator

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, April 10, 2018 5:21 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Request for comment

Liz, Jahan,

Anything on the dismissal today of Mario Caraballo as deputy associate administrator of EPA's Office of Homeland Security? Sources confirm to AP that he authored the Feb. 14 assessment that concluded "EPA Intelligence has not identified any specific, credible, direct threat to the EPA administrator."

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
Twitter: @mbieseck
[Public Key](#)

1100 13 St. NW, Suite 700
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M [Ex. 6]

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Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 5/15/2018 1:34:24 PM
To: Shah, Raj S. EOP/WHO **EOP / Ex. 6** Kennedy, Adam R. EOP/WHO **EOP / Ex. 6**
Subject: RE: OIG letter to Senate about Security

In case you get asked today, we worked closely on this WaPo, Politico and Daily Caller story.

- <http://dailycaller.com/2018/05/14/epa-officials-scott-pruitt-security-emails/>
- https://www.washingtonpost.com/news/energy-environment/wp/2018/05/14/scott-pruitt-requested-and-received-247-security-starting-on-his-first-day-at-epa/?utm_term=.19c41f68ae03
- <https://www.politico.com/story/2018/05/14/scott-pruitt-24-7-security-epa-watchdog-1214909>

Washington Post

https://www.washingtonpost.com/news/energy-environment/wp/2018/05/14/scott-pruitt-requested-and-received-247-security-starting-on-his-first-day-at-epa/?utm_term=.19c41f68ae03

Scott Pruitt requested, received 24/7 security starting on his first day at EPA

By Brady Dennis and Juliet Eilperin, 5/14/18, 9:07 PM

Scott Pruitt began receiving round-the-clock security from the moment he stepped foot inside the Environmental Protection Agency in February 2017, at the behest of a Trump administration political appointee, according to emails obtained by The Washington Post.

The EPA's inspector general said in a letter Monday that Pruitt got extensive protection from the very start of his tenure but did not clarify who requested it. The separate series of emails obtained by The Washington Post shows that the decision to provide Pruitt with 24/7 coverage was made by Don Benton, a Republican former Washington state senator who served as the agency's senior White House adviser in the first weeks of the new administration.

"EPA's Protective Service Detail began providing 24/7 coverage of the Administrator the first day he arrived," Inspector General Arthur Elkins wrote in response to inquiries from Sens. Sheldon Whitehouse (D-R.I.) and Thomas R. Carper (D-Del.) about what threats prompted Pruitt's nonstop security, which has cost in excess of \$3 million. "The decision was made by the Office of Criminal Enforcement, Forensics and Training after being informed that Mr. Pruitt requested 24/7 protection once he was confirmed as Administrator."

The inspector general's office, which investigates threats made against any EPA employee, "played no role in this decision," Elkins added.

In a Feb. 12, 2017, email to several EPA security officials, Benton framed the decision as a precautionary measure given the controversy sure to ensue from some of the president's early policy decisions. "I have requested 24-7 protection for the new administrator for the first week at least and then evaluate from there," Benton wrote.

“There will be several Executive Orders signed when [Pruitt] is sworn in that will likely stir the hornets nest and with the security issue in the Atlanta office last week as well as the lady who threatened former administrator [Gina] McCarthy not showing up for court and at large in DC it is best to be on the safe side,” he continued.

EPA officials discussed the increased costs and strain on the agency’s criminal-investigations division that would stem from such a move. The acting special agent in charge, Eric Weese, wrote colleagues that nonstop protection would entail doubling the number of agents on Pruitt’s security detail to 16.

Weese predicted this would be “a major disruption” to the division’s assets in the Mid-Atlantic region, “but there will be no other way to pull this off.”

Agency spokesman Jahan Wilcox said in a statement Monday that, “as the report says, EPA’s Office of Inspector General does not determine security assessments. EPA’s Protective Service Detail handles security decisions and this particular decision was made before Administrator Pruitt arrived at EPA.”

Some Cabinet members routinely receive heightened security as part of their jobs, including the secretaries of defense, state and homeland security. FBI agents accompany the attorney general around the clock. But for other Cabinet posts, the level of protection varies, based on circumstances. Early in the Trump administration, for example, Education Secretary Betsy DeVos received a full protective detail, at an estimated initial cost of \$1 million a month.

At the EPA, prior administrators have not typically received 24/7 protection. Pruitt’s immediate predecessor, McCarthy, typically had a security detail that accompanied her to work each day, to meetings and to events and dropped her off at home each night. The detail also traveled with her on official business. But McCarthy’s detail was roughly a third of the size of the one that guards Pruitt.

“While I did get threats, I did not feel like I was particularly under threat,” McCarthy said in a recent interview. She said she declined the agents’ proposal that she expand her protection. “I did what I thought was the minimum.”

Agency officials, including Pruitt, have said repeatedly that he has experienced far more threats than previous administrators. And Pruitt has maintained that he left decisions about the size and intensity of his security detail, as well as related decisions such as traveling first class for safety, to Pasquale “Nino” Perrotta, the special agent in charge who took over after Weese was reassigned.

Perrotta, who has been under scrutiny for the expenditures related to Pruitt’s security and travel, retired from the agency late last month.

Grilled at a hearing on Capitol Hill last month about the need for such extensive security, Pruitt read directly from a list of alleged threats the inspector general had compiled last summer, including one posted on social media that read: “Pruitt, I’m gonna find you and put a bullet between your eyes. Don’t think I’m joking. I’m planning this.”

The 14 incidents collected by the inspector general to that point also included a “potentially threatening postcard” from a person who “expressed regret and apologized” when confronted by investigators, as well as a letter from a prison inmate that authorities concluded “did not reveal any overt threatening language.”

There were no confirmed threat cases open the day Pruitt took office, according to an individual with direct knowledge of the matter who spoke on the condition of anonymity out of fear of retaliation.

Elkins made clear in his letter Monday that his office “has never conducted a ‘threat assessment’ ” for Pruitt — a broader, more formal evaluation used to help determine what level and type of protection is warranted for an official.

“It includes all available information, including the results of threat investigations, but also other factors, such as notoriety, history of threats or violence directed against the person or event, other dangers or potentials dangers that may be associated with the person or event, and location,” Elkins wrote, adding, “The OIG is not a decision-maker for the EPA.”

Elkins said that the EPA’s front office asked the inspector general to undertake such an assessment in February 2017 but that he “declined and informed EPA management that it is not the role of the OIG to provide a threat assessment.” Later, he wrote, his office provided the list of threats it had investigated to Pruitt’s protective service detail, which was in the process of preparing its own threat assessment.

Perrotta wrote a brief memo May 1, 2017, requesting approval for Pruitt to begin flying first and business class whenever possible, based on security concerns. Perrotta said that Pruitt was being recognized more often in public and that those guarding him had noticed “at times lashing out from passengers which occurs while the Administrator is seated in coach with [his personal security detail] not easily accessible to him due to uncontrolled full flights.”

As a result, Perrotta wanted a way to better control the environment around the EPA chief. “We believe that the continued use of coach seats for the Administrator would endanger his life,” he said. Earlier this year, after a public outcry over the cost of his travels, Pruitt said he instructed his detail to again seat him in coach class whenever feasible.

Whitehouse and Carper, who requested the information that Elkins ultimately provided Monday, said in a statement that Pruitt’s decision to request full-time security from the moment he took over at the EPA raises questions about his previous claims.

“A threat to a federal employee’s personal security is extremely serious, but so is using security as pretext for special treatment on the public dime,” the senators said. “This letter raises troubling questions about whether Administrator Pruitt told the truth during his testimony before the House. Now more than ever, Mr. Pruitt should come clean about his spending of taxpayer dollars on all manner of extravagances, and our colleagues on both sides of the aisle should demand he do so.”

From: Wilcox, Jahan

Sent: Monday, May 14, 2018 5:05 PM

To: 'Shah, Raj S. EOP/WHO' EOP / Ex. 6

Subject: FW: OIG letter to Senate about Security

FYI

From: Wilcox, Jahan

Sent: Monday, May 14, 2018 4:32 PM

To: 'Biesecker, Michael' <MBiesecker@ap.org>; 'Feldman, Carole' <CFeldman@ap.org>

Cc: Press <Press@epa.gov>

Subject: RE: OIG letter to Senate about Security

“As the report says, EPA’s Office of Inspector General does not determine security assessments. EPA’s Protective Service Detail handles security decisions and this particular decision was made before Administrator Pruitt arrived at EPA.” – EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [<mailto:MBiesecker@ap.org>]
Sent: Monday, May 14, 2018 3:35 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: OIG letter to Senate about Security

Jahan,

Seeking your response to the following letter from the IG: https://www.epa.gov/sites/production/files/2018-05/documents/ig_response_to_carper_05-14-18.pdf

In the past, you have said the enhanced security for Administrator Pruitt was triggered by unprecedented threats. This letter says the administrator demanded and received 24-hour-a-day security starting on his very first day in office. Can you clarify?

Also, the letter says Nino Perrotta is under investigation. Could you please provide comment?

Thanks,

Michael



Michael Biesecker
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M **Ex. 6**

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions: www.ap.org/tips

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“I go with Custer and will be at the death.” – AP reporter Mark Kellogg’s final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 6/21/2018 4:20:59 PM
To: Shah, Raj S. EOP/WHO Ex. 6
Subject: FYI --

This is the same beat reporter who has reported numerous lies about the EPA.

<http://www.breitbart.com/big-government/2017/06/30/fake-news-associated-press-engulfed-in-cnn-level-scandal-as-it-covers-up-invention-of-imaginary-pruitt-meeting/>

<https://abcnews.go.com/US/ap-defends-epa-attacks-misleading-report-superfund-sites/story?id=49610809>

<http://www.breitbart.com/big-government/2017/09/03/fake-news-ap-writes-misleading-article-about-epas-cleanup-efforts-after-hurricane-harvey/>

AP report on alleged illegal immigrant abuse at detention centers omits Obama was president at time

Washington Examiner

Eddie Scarry

June 21, 2018 – 11:42 AM

<https://www.washingtonexaminer.com/news/ap-report-on-alleged-illegal-immigrant-abuse-at-detention-centers-omits-obama-was-president-at-time>

An Associated Press report on Thursday detailed a lawsuit wherein a juvenile detention center for illegal immigrants was accused of neglect and abuse of its detainees. The AP report neglected to note, however, that the alleged abuse began while President Barack Obama was in office.

The story said multiple teens have accused Shenandoah Valley Juvenile Center near Staunton, Va., of forcing them to be "handcuffed and locked up for long periods in solitary confinement, left nude and shivering in concrete cells."

It also said many of the accusers, including the plaintiff, identified as 17-year-old Mexican "John Doe," suffer from mental health issues, some or all of which began after they were placed in the detention center.

The complaint, filed in October 2017 by the Washington Lawyers' Committee for Civil Rights and Urban Affairs, said that Doe was apprehended at the Southern border in August 2015 and that he was transported between multiple detention centers before ultimately being sent to Shenandoah Valley Juvenile Center in April 2016, where he has remained ever since.

The complaint said that, "In each of these placements, Doe failed to receive the mental health services necessary to allow him to live in a community setting ..."

It said that just six weeks after Doe arrived at the Shenandoah Valley Juvenile Center in 2016, "Doe first disclosed ... that he had engaged in self-harm" and that "prior to his arrival in the United States, Doe had not engaged in self-harm. He reports that he learned this behavior while in ...

All of this would have happened under the Obama administration, but that is noted nowhere in the Associated Press report.

The report does say that the accusers "were not the children who have been separated from their families under the Trump administration's recent policy and are now in the government's care," but it at no point mentions Obama's name.

A spokesperson for the Associated Press did not return a request for comment by the Washington Examiner on Thursday.

Trump, however, is mentioned four times by name.

"Many of the children were sent there after U.S. immigration authorities accused them of belonging to violent gangs, including MS-13," the story said. "President Donald Trump has repeatedly cited gang activity as justification for his crackdown on illegal immigration."

The Trump administration has drawn intense scrutiny from the media, Democrats and some members of his own party for the president's zero tolerance enforcement on the border, which resulted in illegal immigrants being separated from the children they brought with them.